

the mobile communication device a list of radio channels corresponding to respective radio transmitters of the cellular network, said list being determined on the basis of the approximate position of the mobile communication device; and causing the mobile communication device to listen on said identified channel." In WO 96/35306 the mobile station only receives offset timing information that enables the mobile station to perform distance measurements efficiently between a multitude of possible channels. The mobile only receives information on the base stations providing the strongest signal at the mobile unit M. The mobile unit can then periodically sample the signal quality of each BCCH. (pg. 9, lines 16-22). The "list" of base stations in Munday is not generated for positioning purposes, but rather for handover, and only takes signal quality into account.

The "list of radio channels" according to Applicants' invention as claimed in claims 1, 7 and 8 corresponds to each approximate position having been generated beforehand using the geometrically best combinations coupled with practical measurements taking local conditions into account for each approximate position. (pg. 8, line 4-5). This is different than using solely handover signal quality as in Munday, because, for example, two channels using a transmitting antenna on the same mast might be good for handover, but are absolutely useless for positioning.

As recited in claims 1, 7 and 8, the list of radio channels is transmitted to the mobile communication device where the list is treated as a command, causing the mobile station to listen on the channels and use the data values related to the relative geometry of the mobile communication device and the radio

transmitters transmitting the listened to channels for Observed Time Difference (OTD) measurements. The list can alternatively indicate channels that for geometric or other reasons should not be used. In Applicants' invention, such channels are included or excluded as needed. The results of the OTD measurements can be used to determine the position of the mobile communication device. (pg. 9, lines 4-6).

According to Applicants' invention, the list to be sent to the mobile station is selected based on the approximate position and will cause a more exact position to be determined.

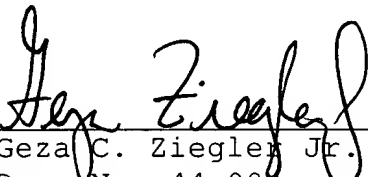
Munday does not disclose or suggest "causing the mobile communication device to listen on said identified channels, or on other channels excluding said identified channels, and to determine from information transmitted over the listened to channels data values related to the relative geometry" as recited by Applicants in claims 1, 7 and 8. By forcing a mobile communications device to use preselected radio transmitters for position determination measurements, or by excluding certain radio transmitters, the measurement process may be optimized for any given geographical area (pg. 3, lines 30-33). In Munday, only the nearby base stations that provide the strongest signal at the mobile unit M are used. (pg. 9, lines 16-19). Thus, since Munday does not disclose or suggest identifying a list of radio channels, the "list being determined on the basis of the approximate position of the mobile communication device", claims 1, 7 and 8 are not anticipated by Munday, WO-96/35306, under 35 U.S.C. §102(b). Therefore, it is respectfully submitted that claims 1-8 are allowable over the cited art.

For the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel

and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$390 is enclosed for a two-month extension of time. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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Date

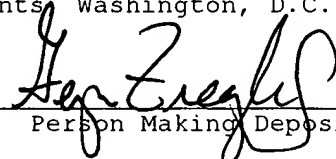
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I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Commissioner of Patents, Washington, D.C. 20231.

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